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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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9 HSBC BANK, USA, NATIONAL
10 ASSOCIATION,

11 Plaintiff,

12 v.

13 UNDERWOOD PARTNERS, LLC; NV
14 EAGLES, LLC;

15 Defendants.

16 HSBC BANK, USA, NATIONAL
17 ASSOCIATION.,

18 Counter/Cross Claimant,

19 v.
20

21 SPANISH STEPS LAKESIDE
22 HOMEOWNERS ASSOCIATION,

23 Defendant.

Case No. 2:17-cv-00461-RFB-PAL

ORDER

24 On April 21, 2017, this Court certified a question of law regarding NRS 116's notice
25 requirement to the Nevada Supreme Court in Bank of N.Y. Mellon v. Star Hill Homeowners Ass'n,
26 Case No. 2:16-cv-02561-RFB-PAL, ECF No. 41. The Court finds that the outcome of that decision
27 will impact the pending motions in this case. For reasons of judicial economy and to avoid
28 inconsistent decisions or partial decisions on some but not all issues, the Court will not consider

1 any further motions until the parties have had the opportunity to receive and address the Nevada
2 Supreme Court's opinion on this issue.

3 **IT IS THEREFORE ORDERED** that this case is hereby STAYED.

4 **IT IS FURTHER ORDERED** that Defendant NV Eagles, LLC., and Underwood
5 Partners, LLC., Motion to Dismiss are DENIED without prejudice. ECF No. 5, 46. The moving
6 party shall have 21 days from the date of the Nevada Supreme Court's decision on the certified
7 question to file a modified Motion for Summary Judgment or to file a notice renewing the
8 previously filed motion. The opposing party shall have 21 days to respond. The moving party shall
9 have 14 days to reply.

10 **IT IS FURTHER ORDERED** that Defendant Spanish Steps Lakeside Homeowners
11 Association Motion to Dismiss is DENIED without prejudice. ECF No. 6. The moving party shall
12 have 21 days from the date of the Nevada Supreme Court's decision on the certified question to
13 file a modified Motion for Summary Judgment or to file a notice renewing the previously filed
14 motion. The opposing party shall have 21 days to respond. The moving party shall have 14 days
15 to reply.

16 **IT IS FURTHER ORDERED** that Defendant Spanish Steps Lakeside Homeowners
17 Association Motion for Summary Judgment is DENIED without prejudice. ECF No. 31. The
18 moving party shall have 21 days from the date of the Nevada Supreme Court's decision on the
19 certified question to file a modified Motion for Summary Judgment or to file a notice renewing
20 the previously filed motion. The opposing party shall have 21 days to respond. The moving party
21 shall have 14 days to reply.

22 **IT IS FURTHER ORDERED** that Defendants NV Eagles, LLC., and Underwood
23 Partners, LLC., Motion for Summary Judgment is DENIED without prejudice. ECF No. 32. The
24 moving party shall have 21 days from the date of the Nevada Supreme Court's decision on the
25 certified question to file a modified Motion for Summary Judgment or to file a notice renewing
26 the previously filed motion. The opposing party shall have 21 days to respond. The moving party
27 shall have 14 days to reply.

1 **IT IS FURTHER ORDERED** that Plaintiff HSBC Bank USA and National Association
2 Motion for Summary Judgment is DENIED without prejudice. ECF No. 33. The moving party
3 shall have 21 days from the date of the Nevada Supreme Court's decision on the certified question
4 to file a modified Motion for Summary Judgment or to file a notice renewing the previously filed
5 motion. The opposing party shall have 21 days to respond. The moving party shall have 14 days
6 to reply.

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8 **DATED** this 22nd day of March, 2018.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE